

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, DECEMBER 9, 1975

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council Chambers
Tuesday evening December 9 A.D., 1975, in Regular
Session. President James S. Stier in the chair, and
Charles W. Westerman Clerk, at the desk, present the following
members viz:
Burns ✓, Hinga ✓, ~~Kraus~~ ✓
Moses ✓, Nuckols ✓, Donald Schmidt ✓
Vivian Schmidt ✓, Stier ✓, Talarico ✓
Absent _____
Councilmen _____,
_____, _____,

The invocation was given by Reverend Carl Amelung - St. John's Lutheran
Church

Received report from the City Controller for the month of _____,
19____. Motion made and carried that report be made a matter of record and
placed on file.

The minutes of the last regular _____, 19____, special _____, 19____,
November 11, 1975,
Session having been delivered to the Council, were, on motion, approved and
published.



THE CITY OF FORT WAYNE

office of the mayor

November 26, 1975

To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Today, November 26, 1975, I have approved the following ordinances passed by the Common Council at the regular meeting of November 25, 1975.

(Bill No. A-75-11-01)
APPROPRIATION ORDINANCE NO. A-63-75

AN ORDINANCE transferring certain funds in the 1975 Budget of the Redevelopment Commission

(Bill No. A-75-11-02)
APPROPRIATION ORDINANCE NO. A-64-75

AN ORDINANCE transferring certain funds in the 1975 Budget of the Board of Works - Parking Meters & Lots

(Bill No. A-75-11-03)
APPROPRIATION ORDINANCE NO. A-65-75

AN ORDINANCE transferring certain funds in the 1975 Budget of the Fire Department

(Bill No. A-75-11-04)
APPROPRIATION ORDINANCE NO. A-66-75

AN ORDINANCE transferring certain funds in the 1975 Budget of the Street Department

(Bill No. A-75-11-05)
APPROPRIATION ORDINANCE NO. A-67-75

AN ORDINANCE transferring certain funds in the 1975 Budget of the Street Department

(Bill No. A-75-11-06)
APPROPRIATION ORDINANCE NO. A-68-75

AN ORDINANCE transferring certain funds in the 1975 Budget of the Bicentennial Commission

DATE 12/9/75 MADE A MATTER OF RECORD

CHARLES W. WESTERMAN, CITY CLERK

(Bill No. A-75-11-07)
APPROPRIATION ORDINANCE NO. A-69-75

AN ORDINANCE transferring certain funds within the 1975 Budget of Public Safety Garage

(Bill No. A-75-11-08)
APPROPRIATION ORDINANCE NO. A-70-75

AN ORDINANCE appropriating certain funds from the unappropriated balance of the General Fund to the 1975 Budget of the Public Safety Garage

(Bill No. A-75-11-09)
APPROPRIATION ORDINANCE NO. A-71-75

AN ORDINANCE appropriating certain monies in the 1975 Budget of the Revenue Sharing Trust Fund of the City of Fort Wayne

(Bill No. A-75-11-32)
APPROPRIATION ORDINANCE NO. A-72-75

AN ORDINANCE appropriating certain monies in the 1975 Budget of the General Fund of the City of Fort Wayne

(Bill No. A-75-11-33)
APPROPRIATION ORDINANCE NO. A-73-75

AN ORDINANCE appropriating certain monies for the 1975 Budget of the Revenue Sharing Trust Fund of the City of Fort Wayne

(Bill No. A-75-11-34)
APPROPRIATION ORDINANCE NO. A-74-75

AN ORDINANCE appropriating certain monies in the 1975 Budget of the Sewer Relief Fund of the City of Fort Wayne

(Bill No. A-75-11-35)
APPROPRIATION ORDINANCE NO. A-75-75

AN ORDINANCE transferring certain monies from the Cash Reserve Fund of the Electric Utility to the General Fund of the City of Fort Wayne, Indiana

(Bill No. A-75-11-36)
APPROPRIATION ORDINANCE NO. A-76-75

AN ORDINANCE transferring to the General Fund the unused and unencumbered balance of certain funds

(Bill No. A-75-11-37)
AS AMENDED
APPROPRIATION ORDINANCE NO. A-77-75

AN ORDINANCE appropriating certain monies for the 1975 Budget of the Revenue Sharing Trust Fund of the City of Fort Wayne

(Bill No. S-75-11-10)
SPECIAL ORDINANCE NO. S-240-75

AN ORDINANCE approving a contract with LAWN & TURF LANDSCAPING, INC. for installation of Landscape materials at Northwood Junior High School

(Bill No. S-75-11-11)
SPECIAL ORDINANCE NO. S-241-75

AN ORDINANCE approving a certain bid document for purchase of trucks for the Park Department

(Bill No. S-75-11-12)
SPECIAL ORDINANCE NO. S-242-75

AN ORDINANCE approving a bid document for purchase of automobiles for Park Service Division

(Bill No. S-75-11-38)
SPECIAL ORDINANCE NO. S-243-75)

AN ORDINANCE establishing a Cash Reserve Fund in the Electric Utility

(Bill No. R-75-11-44)
RESOLUTION NO. R-66-75

A RESOLUTION transferring certain funds in the 1975 Budget of the Park Department

(Bill No. R-75-11-45)
RESOLUTION NO. R-67-75

A RESOLUTION transferring certain funds in the 1975 Budget of the Board of Public Works

(Bill No. R-75-11-46)
RESOLUTION NO. R-68-75

A RESOLUTION transferring certain funds in the 1975 Budget of Parking Administration

(Bill No. R-75-11-47)
RESOLUTION NO. R-69-75

A RESOLUTION transferring certain funds in the 1975 Budget of the Parking Administration

(Bill No. R-75-11-71)
RESOLUTION NO. R-70-75

A RESOLUTION authorizing the transfer of certain funds in the 1975 Budget of the Mayor's Office

(Bill No. S-75-11-15)
SPECIAL ORDINANCE NO. S-244-75

AN ORDINANCE approving Change Order No. 2 in connection with Resolution 5687-1975, Contract B Heater-Scarifying

(Bill No. S-75-11-16)
SPECIAL ORDINANCE NO. S-245-75

AN ORDINANCE approving contracts for construction of Senior Citizens Center

(Bill No. S-75-11-17)
SPECIAL ORDINANCE NO. S-246-75

AN ORDINANCE approving a contract with JOHN DEHNER, INC. for repair work at Anthony and Berry Streets

(Bill No. S-75-11-18)
SPECIAL ORDINANCE NO. S-247-75

AN ORDINANCE approving a contract with McVEY-MIDLAND PIPING for materials for Water Pollution Control Maintenance Department

(Bill No. S-75-11-19)
SPECIAL ORDINANCE NO. S-248-75

AN ORDINANCE approving a contract with ROCKWELL INTERNATIONAL & UTILITY DIVISION for materials for Water Maintenance & Service Department

(Bill No. S-75-11-21)
SPECIAL ORDINANCE NO. S-249-75

AN ORDINANCE approving a contract with GENERAL ELECTRIC COMPANY for purchase of materials for Street Lighting Department

(Bill No. S-75-11-22)
SPECIAL ORDINANCE NO. S-250-75

AN ORDINANCE approving a contract with AMFED SERVICE CORPORATION for Water Contract 7510, Walden Addition, Section IV

(Bill No. S-75-11-23)
SPECIAL ORDINANCE NO. S-251-75

AN ORDINANCE approving a contract with GRAYBAR ELECTRIC COMPANY for materials for use by the Street Lighting Department

(Bill No. S-75-11-24)
SPECIAL ORDINANCE NO. S-252-75

AN ORDINANCE approving a contract with McVEY-MIDLAND PIPING for materials for Water Pollution Control Maintenance Department

(Bill No. S-75-11-25)
SPECIAL ORDINANCE NO. S-253-75

AN ORDINANCE approving a contract with PREFERRED PRODECTS COMPANY for purchase of materials for Street Lighting Department

(Bill No. S-75-11-26)
SPECIAL ORDINANCE NO. S-254-75

AN ORDINANCE approving a contract with TRI-STATE PLUMBING, INC. for materials for Water Maintenance and Service Department

(Bill No. S-75-11-27)
SPECIAL ORDINANCE NO. S-255-75

AN ORDINANCE approving a contract with NORFOLK AND WESTERN RAILROAD COMPANY for service to Water Pollution Control Plant

(Bill No. S-75-11-28)
SPECIAL ORDINANCE NO. S-256-75

AN ORDINANCE approving a revision of price on blanket purchase order to Tri-State Plumbing & Supply Company for materials for use by Water Maintenance & Service Department

(Bill No. S-75-11-29)
SPECIAL ORDINANCE NO. S-257-75

AN ORDINANCE approving a contract with TRI-STATE PLUMBING, INC. for Water Maintenance and Service Department

(Bill No. S-75-11-30)
SPECIAL ORDINANCE NO. S-258-75

AN ORDINANCE approving a contract with TREATY COMPANY for materials for Water Maintenance and Service Department

Respectfully yours,



Ivan A. Lebamoff
Mayor



COMMUNITY DEVELOPMENT AND PLANNING

long range planning and zoning

December 2, 1975

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-75-10-17

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
2nd day of December, 1975.

A handwritten signature in cursive script, appearing to read "C. Hall", is written over a horizontal line.

Charles N. Hall
Secretary

MADE A MATTER OF RECORD
DATE 12/9/75 CHARLES W. WESTERMAN, CITY CLERK





COMMUNITY DEVELOPMENT AND PLANNING

long range planning and zoning

December 2, 1975

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment.

1. Bill No. Z-75-10-17

This ordinance was requested to be withdrawn by written request of the attorney representing the petitioner, as attached to the ordinance.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted

COMMUNITY DEVELOPMENT AND PLANNING
Division of Long Range Planning
and Zoning

Gary F. Baeten (pr)

Gary F. Baeten
Land Use Administrator

GFB:pr
ATT..

cc: Mayor Ivan Lebamoff



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on October 14, 1975, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-75-10-17; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on November 17, 1975; and,

WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission by the attorney representing the petition;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be WITHDRAWN in accordance with the written request of the attorney representing the petitioner;

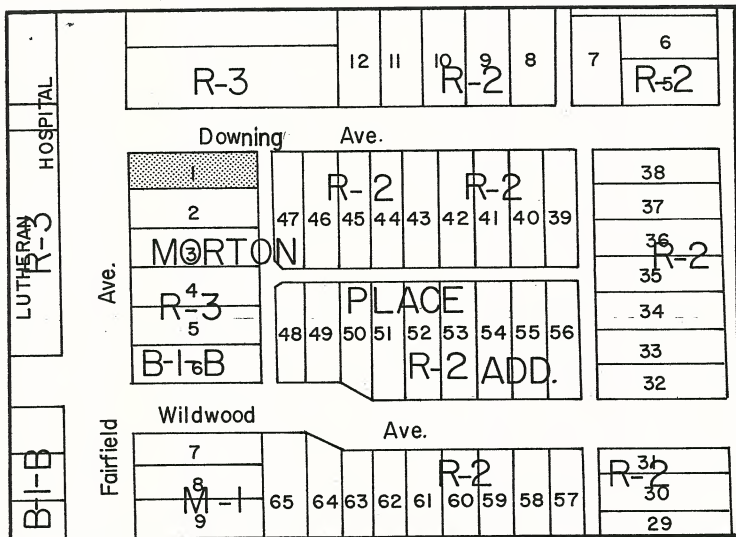
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held November 24, 1975.

Certified and signed this
2nd day of December, 1975.



Charles N. Hall
Secretary



To be changed from R-3 to B-1-A



9-30-75

Pg. AA-4

L.S.

2-75-10-17



COMMUNITY DEVELOPMENT AND PLANNING

long range planning and zoning

December 4, 1975

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-75-10-15

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
4th day of December, 1975.

Charles N. Hall
Secretary

MADE A MATTER OF RECORD

DATE 12/4/75 CHARLES W. WESTERMAN, CITY CLERK





COMMUNITY DEVELOPMENT AND PLANNING

long range planning and zoning

December 4, 1975

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held November 24, 1975. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved:

1. Bill No. Z-75-10-15
2. From "M1" to "M3"
3. Intended Use: Expansion of Engineered Structural Projects for outside storage
4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

- a. This change is compatible with surrounding land uses. This change would permit improvements on the property which will provide a means of reducing present open storage on the property therefore, enhance the residential community to the ease.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted

COMMUNITY DEVELOPMENT AND PLANNING
Division of Long Range Planning
and Zoning.

Gary Baeten (pr)

Gary F. Baeten
Land Use Administrator

GFB:pr
ATT.

cc: Mayor Ivan Lebamoff

an equal opportunity employer



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on October 14, 1975, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-75-10-15; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on November 17, 1975;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance **DO PASS** for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

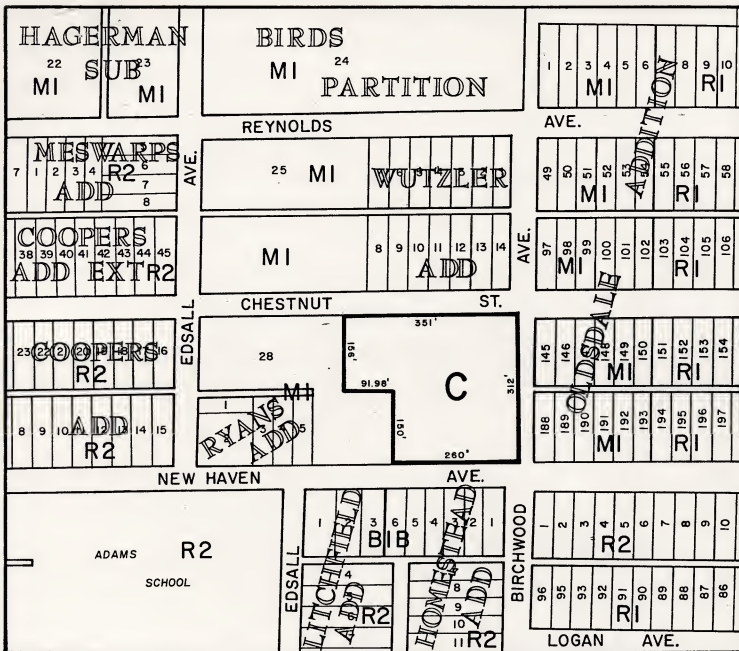
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held November 24, 1975.

Certified and signed this
4th day of December, 1975.



Charles N. Hall
Secretary



C CHANGE FROM MI TO M3

2-75-10-15





THE CITY OF FORT WAYNE
DEPARTMENT OF PUBLIC SAFETY

December 5, 1975

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith is an authenticated copy of the Board of Public Safety Regulatory Resolution Number 53-75/E, 54-75/E, and 55-75/D.

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

Thomas J. Casaburo
Director of Public Safety

MADE A MATTER OF RECORD

DATE 12/9/75 CHARLES W. WESTERMAN, CITY CLERK

RETURN CERTIFICATE

(Regulatory Resolution No. 53-75 /E), 54-75/E, & 55-75/D

I hereby certify that I did this 5th day of December, 19 75 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, The City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within ^{54-75/E and 55-75/D} Regulatory Resolution No. 53-75/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section 20 (a) of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.

Richard M. Drake
SSK

EXECUTIVE SECRETARY

(Adopted December 5, 1975)

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to Renew and Extend Regulatory Resolution 40-75/E

1. Belle Vista Blvd. - stop - at Corvalis Avenue

REGULATORY RESOLUTION NO 54-75 /E

(Adopted December 5 , 19 75)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to Renew and Extend Regulatory Resolution 41-75/E

_____ ; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated November 25 , 19 75 , submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14, 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective December 5 ,

19 75 and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. NO PARKING

1. Fairoak Dr. - north side - from Bluffton Rd. to Old Trail Road
2. McArthur Dr.- north side - from Old Trail Rd. to Elzey Street
3. McArthur Dr.- south side - from Burnsdales Avenue to Old Trail Road

B. TWO HOUR PARKING 8:00AM - 6:00 PM

1. Fairfield Avenue - west side - from Main St. to Jefferson St.

C. STOP INTERSECTION

1. Emily Street - stop - for Oliver Street
2. Amherst Dr. - stop - for Reservation Drive
3. Northcrest Dr- stop - for Warwick Avenue

D. THRU STREET

1. McArthur Drive - from - Old Trail Rd. to Baer Road, except at Old Trail Road and Baer Road.

REGULATORY RESOLUTION NO. 55-75 /D

(Adopted December 5, 1975)

WHEREAS, Section 20 (a) (2), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55, adopted FEB. 14, 1961, authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 121 of said chapter as so amended delegates to this Board authority to designate No Parking

_____ ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated November 24, 1975, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority delegated to this Board by Section 121 of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55 adopted FEB. 14. 1961. it is hereby ordered, effective December 5, 1975, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. NO PARKING 7:00AM - 4:00PM SCHOOL DAYS ONLY

1. Webster Street - east side - from Rudisill Blvd. to 75 feet north thereof

The Council then adjourned.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 9th day of December, 1975; that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this _____ day of December, 1975.

Charles W. Westerman
City Clerk

SEAL